



**REGULAR MEETING  
MINUTES**

**PLANNING COMMISSION  
May 24, 2016**

**The Planning Commission convened in a regular meeting on May 24, 2016 @ 301 W. 2<sup>nd</sup> Street,  
Austin, TX 78701**

**Chair Stephen Oliver called the Commission Meeting to order at 6:03 p.m.**

**Commission Members in Attendance:**

**Stephen Oliver – Chair  
Fayez Kazi – Vice – Chair  
Karen McGraw  
Tom Nuckols  
Angela PineyroDeHoyos  
James Schissler  
Patricia Seeger  
James Shieh  
Jeffrey Thompson  
Jose Vela  
Trinity White  
Michael Wilson  
Nuria Zaragoza**

**William Burkhardt – Ex-Officio  
Dr. Jayme Mathias – Ex-Officio**

**Absent:**

**Angela PineyroDeHoyos  
Jeffrey Thompson**

**EXECUTIVE SESSION (No public discussion)**

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The commission may not conduct a closed meeting without the approval of the city attorney.

**A. CITIZEN COMMUNICATION: GENERAL**

**B. APPROVAL OF MINUTES**

1. Approval of minutes from May 10, 2016.

The motion to approve the minutes from May 10, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**C. PUBLIC HEARINGS**

**1. Plan Amendment: [NPA-2015-0015.03 - 5010 & 5012 Heflin Lane; District 1](#)**

Location: 5010 & 5102 Heflin Lane, Fort Branch Creek Watershed; East MLK Combined NP Area  
Owner/Applicant: Heflin Phase 1, LLC (Lynn Yuan) and Shirley Davis  
Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch)  
Request: Amend the future land use map (FLUM) from Single-Family to High Density Single-Family land use  
Staff Rec.: **Applicant requests postponement to July 26, 2016.**  
Staff: [Kathleen Fox](#), 512-974-7877  
Planning and Zoning Department

The motion to grant applicant's request for postponement of this item to July 26, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**2. Rezoning: [C14-2015-0114 - 5010 & 5102 Heflin Lane; District 1](#)**

Location: 5010 & 5102 Heflin Lane, Fort Branch Creek Watershed; East MLK Combined NP Area  
Owner/Applicant: Heflin Phase 1, LLC (Lynn Yuan)  
Agent: Metcalfe Wolff, Stuart & Williams, LLP (Michele R. Lynch)  
Request: SF-4A-NP to SF-6-NP  
Staff Rec.: **Applicant requests postponement to July 26, 2016.**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning and Zoning Department

The motion to grant applicant's request for postponement of this item to July 26, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**3. Plan Amendment: [NPA-2016-0020.01 - 440 E. St. Elmo Plan Amendment; District 3](#)**

Location: 440 East St. Elmo Road, Building F, Williamson Creek Watershed;  
South Congress Combined (East Congress) NP Area  
Owner/Applicant: Atlas/Zimmerman Family, L.L.C.  
Agent: Thrower Design (Ron Thrower)  
Request: Industry to Commercial land use  
Staff Rec.: **Recommended**  
Staff: [Maureen Meredith](#), 512-974-2695  
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of Commercial land use for NPA-2016-0020.01 - 440 E. St. Elmo Plan Amendment located at 440 East St. Elmo Road, Building F was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 9-0-1. Chair Stephen Oliver recused himself on this item due to conflict of interest (*professional services rendered*). Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**4. Rezoning: [C14-2016-0024 - 440 E. St. Elmo Road Rezoning; District 3](#)**

Location: 440 East St. Elmo Road, Building F, Williamson Creek Watershed;  
South Congress Combined (East Congress) NP Area  
Owner/Applicant: The Elmo Yard, LLC (Adam Zimmerman)  
Agent: Thrower Design (Ron Thrower)  
Request: LI-NP to CS-1-CO-NP  
Staff Rec.: **Recommended, with conditions**  
Staff: [Wendy Rhoades](#), 512-974-7719  
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of CS-1-CO-NP combining district zoning for C14-2016-0024 - 440 E. St. Elmo Road Rezoning located at 440 East St. Elmo Road, Building F was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 9-0-1. Chair Stephen Oliver recused himself on this item due to conflict of interest (*professional services rendered*). Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**5. Rezoning:** [C14-2016-0031 – Kaleidiscscope Village; District 1](#)

Location: 6314 FM 969 and 6307 Parliament Drive, Walnut Creek Watershed;  
MLK- 183 Combined NP Area  
Owner/Applicant: KV Creation LP (Clifford May)  
Request: Tract 1: From SF-6-NP, LR-MU-NP, and LR-NP to MF-2-NP;  
Tract 2: From LR-NP and SF-6-NP to LR-MU-NP  
Staff Rec.: **Recommended**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning and Zoning Department

Public Hearing Closed.

The motion by Commissioner James Schissler, seconded by Commissioner Jose Vela to grant staff's recommendation of MF-2-NP combining district zoning for Tract 1 and LR-MU-NP combining district zoning for Tract 2, for C14-2016-0031 – Kaleidiscscope Village located at 6314 FM 969 and 6307 Parliament Drive was approved on a unanimous vote. Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**6. Rezoning:** [C14-2016-0022 - 502 W 15th Street; District 9](#)

Location: 502 West 15th Street, Shoal Creek Watershed; Downtown Austin Plan  
Owner/Applicant: Moore JH 502, LLC (Ann E. Vanderburg)  
Agent: Mike McHone Real Estate (Mike McHone)  
Request: LR to DMU  
Staff Rec.: **Recommendation of DMU-CO**  
Staff: [Victoria Haase](#), 512-974-7691  
Planning and Zoning Department

Public Hearing Closed.

The motion to grant staff's recommendation of DMU-CO combining district zoning for C14-2016-0022 - 502 W. 15th Street for the property located at 502 West 15th Street was approved on Commissioner Jose Vela's motion, seconded by Commissioner James Shieh on a vote of 7-3. Those voting aye were: Chair Stephen Oliver, Commissioner Tom Nuchols, Commissioner James Schissler, Commissioner James Shieh, Commissioner Patricia Seeger, Commissioner Michael Wilson and Commissioner Jose Vela. Those voting nay were: Commissioner Karen McGraw, Commissioner Trinity White and Commissioner Nuria Zaragoza. Vice-Chair Fayez Kazi (*left early*) Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**7. Rezoning:** [C14-2016-0034 - 701 Rio Grande; District 9](#)

Location: 701 Rio Grande Street and 602 West 7th Street, Shoal Creek Watershed; Downtown Austin Plan  
Owner/Applicant: Rio Grande Street Partners, LP (Diana Zuniga) and 602 7th Street Partners, LP (John Berkowitz)  
Agent: Drenner Group (Jewels Watson)  
Request: GO to DMU-CO  
Staff Rec.: **Recommended**  
Staff: [Victoria Haase](#), 512-974-7691  
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of DMU-CO combining district zoning for C14-2016-0034 - 701 Rio Grande located at 701 Rio Grande Street and 602 West 7th Street was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**8. Code Amendment:** [C20-2015-018 - Tenant Relocation](#)

Request: Consider amendments to Title 25 of the Land Development Code related to recommendations regarding tenant relocation assistance requirements.  
Staff Rec.: **Recommended; Postponement request by Staff to June 14, 2016**  
Staff: [Lauren Avioli](#), 512-974-3141  
Neighborhood Housing and Community Development

The motion to grant staff's request for postponement of this item to June 14, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 9-0. Commissioner James Schissler recused himself on this item. Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**9. Code Amendment:** [C20-2015-008 - Traffic Mitigation](#)

Request: Consider amendments to Title 25 of the Land Development Code relating to right-of-way dedications and transportation improvements required as a condition to mitigate the impacts of development approval.  
Staff Rec.: **Recommended**  
Staff: [Andy Linseisen](#), 512-974-2239  
Development Services Department

Public Hearing closed.

Motion by Commissioner Nuria Zaragoza, seconded by Commissioner Patricia Seeger to grant staff recommendation failed on a vote of 5-1-4. Those voting aye were: Commissioner Tom Nuchols, Commissioner Karen McGraw, Commissioner Patricia Seeger, Commissioner Trinity White and

Commissioner Nuria Zaragoza. Those voting nay were: Commissioner Michael Wilson. Those abstaining were: Chair Stephen Oliver, Commissioner James Shieh, Commissioner James Schissler, and Commissioner Jose Vela. Vice-Chair Faye Kazi (*left early*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**10. Code Amendment: [C20-2015-007 - Educational Facilities](#)**

Request: Consider amendments to Title 25 of the Land Development Code relating to site development standards for educational facilities.

Staff Rec.: **Recommended**

Staff: [Donna Galati](#), 512-974-2733  
Development Services Department

Public Hearing closed.

There was a motion by Commissioner Jose Vela, seconded by Commissioner James Schissler to postpone this item to June 14, 2016.

Substitute motion by Commissioner Karen McGraw, seconded by Commissioner Tom Nuckols to grant staff recommendation. Friendly amendment by Commissioner Trinity White directing stakeholders to continue discussion and for Council to consider the question of impervious cover and permit fees as part of the policy was accepted by the maker. The motion by Commissioner Karen McGraw, seconded by Commissioner Tom Nuchols along with the friendly amendment by Commissioner Trinity White passed on a vote of 7-4.

Those voting aye were: Chair Stephen Oliver, Commissioner Karen McGraw, Commissioner Tom Nuckols, Commissioner Patricia Seeger, Commissioner James Shieh, Commissioner Trinity White and Commissioner Nuria Zaragoza. Those voting nay were: Vice-Chair Faye Kazi, Commissioner James Schissler, Commissioner Michael Wilson, and Commissioner Jose Vela. Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**11. Code Amendment: [C20-2015-019 - Festival Beach Waterfront Overlay Subdistrict](#)**

Request: Consider a site-specific amendment to Title 25 of the Land Development Code relating to site development regulations for the Festival Beach Subdistrict of the Waterfront Overlay.

Staff Rec.: **Pending**

Staff: [Jerry Rusthoven](#), 512-974-3207,  
Planning and Zoning Department

Public Hearing closed.

The motion by Commissioner Trinity White and seconded by Commissioner Nuria Zaragoza to grant staff's recommendation with the directive that staff shall vet both the affordable housing component and impervious cover issue prior to the item being reviewed by the city council was

approved on a unanimous vote of 10-0. Vice-Chair Fayezi Kazi (left early), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**12. Code Amendment:** [C20-2015-002 - Lake Austin Updates](#)

Request: Consider amendments to Chapter 25-2 and 25-8 of the Land Development Code relating to regulation of development along City of Austin lakes.

Staff Rec.: **Recommended**

Staff: [Liz Johnston](#), 512-974- 2619,  
Watershed Protection Department

Public Hearing closed.

The motion to grant staff's recommendation for amendments to Chapter 25-2 and 25-8 of the Land Development Code relating to regulation of development along City of Austin lakes was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Fayezi Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**13. Site Plan** [SPC-2015-0322C - Montopolis Water Reclamation Reservoir,](#)  
**Conditional Use** [District 3](#)

**Permit:**

Location: 2711 Montopolis Drive, Carson Creek and Country Club Creek Watersheds; Montopolis NP Area

Owner/Applicant: City of Austin - Public Works Department (Imane Mrini)

Agent: K. Friese and Associates, Inc. (Dale Murphy, PE)

Request: To approve a CUP for development greater than 1 acre in P-Public zoning

Staff Rec.: **Recommended**

Staff: [Lynda Courtney](#), 512-974-2810  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for SPC-2015-0322C - Montopolis Water Reclamation Reservoir located at 2711 Montopolis Drive was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Fayezi Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

- 14. Resubdivision:**      **[C8-2015-0078.0A - Resubdivision of Lots 7 and 8, Block 17, Glenwood Addition; District 1](#)**
- Location:                    1301 and 1303 Cedar Avenue, Boggy Creek Watershed; Chestnut NP Area
- Owner/Applicant:        ME1 Investments, LP
- Agent:                        Genesis 1 Engineering (George Gonzalez)
- Request:                    Approval of the resubdivision consisting of 4 lots on 0.278 acres.
- Staff Rec.:                **Recommended**
- Staff:                        [Cesar Zavala](#), 512-974-3404  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2015-0078.0A - Resubdivision of Lots 7 and 8, Block 17, Glenwood Addition located at 1301 and 1303 Cedar Avenue was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

- 15. Resubdivision:**      **[C8-2015-0243.0A - Manor Forest; District 1](#)**
- Location:                    2910 Rogge Lane, Fort Branch Creek Watershed; Pecan Springs - Springdale NP Area
- Owner/Applicant:        Manor Forest, LLC
- Agent:                        Brown & Gay Engineering (Pablo Martinez)
- Request:                    Approval of the resubdivision consisting of 1 lot on 1.65 acres.
- Staff Rec.:                **Recommended**
- Staff:                        [Cesar Zavala](#), 512-974-3404  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2015-0243.0A - Manor Forest located at 1301 and 2910 Rogge Lane was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.



**16. Plat Vacation:** [C8-70-006\(VAC\) - Rosewood Village, Section 5; District 1](#)

Location: 3013 Kuhlman Avenue, Boggy Creek Watershed; Rosewood NP Area  
Owner/Applicant: Jolyn Piercy  
Agent: Hector Avila  
Request: Partial vacation of Rosewood Village, Section 5  
Staff Rec.: **Application withdrawn; no action required**  
Staff: [Steve Hopkins](#), 512-974-3175  
Development Services Department

Item withdrawn; no action required.

**17. Encroachment of Right-of-Way:** [F#9647-1602](#)

Request: Encroachment of the 13th 1/2 Street right-of-way by the exterior chimney and facade of an existing structure.  
Staff Rec.: **Recommended**  
Applicant: Fayez Kazi, of Civiltude  
Owner: Austin Spirits, LLC (Lewis Goldstein)  
Staff: [Eric Hammack](#), 512-974-7079  
Office of Real Estate Services

Public hearing closed.

The motion to grant staff's recommendation for encroachment of the 13th 1/2 Street right-of-way by the exterior chimney and facade of an existing structure was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Fayez Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**18. Master Plan:** [South Waterfront Master Plan](#)

Request: Discuss and consider a recommendation of the South Waterfront Master Plan  
Staff Rec.: **Recommended**  
Staff: [Alan Holt](#), 512-974-2716; [Elizabeth Smith](#) 974-2856  
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of the South Central Waterfront Master Plan with the additional recommendation to reestablish the Waterfront Planning Advisory Board was approved on the motion of Commissioner Nuria Zaragoza, seconded by Commissioner Patricia Seeger on a vote of 9-0. Vice-Chair Fayez Kazi (*left early*), Commissioner James Schissler (*left early*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

**19. Preliminary Plan:** [C8-2016-0094 - Austin Gardens; District 1](#)

Location: 5603 Hudson Street, Fort Branch Creek Watershed; MLK-183 NP Area  
Owner/Applicant: Emily & Joseph Hazen; Mark Marsee  
Agent: Perales Engineering (Jerry Perales)  
Request: Approval of Austin Gardens composed of 40 lots on 5.64 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

**20. Final Plat - Resubdivision:** [C8-2016-0092.0A - Johns C.R. Subdivision Lot 1 and 2 Block 15 Resubdivision; District 1](#)

Location: 2000 East 22nd Street, Boggy Creek Watershed; Upper Boggy Creek NP Area  
Owner/Applicant: Scott Group (Craig Scott)  
Agent: Perales Engineering (Jerry Perales)  
Request: Approval of the Johns C.R. Subdivision Lot 1 and 2 Block 15 Resubdivision composed of 3 lots on 0.44 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

**21. Final Plat - Resubdivision:** [C8-2016-0090.0A - Gault Street Final Plat; District 7](#)

Location: 7709 Gault Street, Waller Creek Watershed; Crestview NP Area  
Owner/Applicant: Katahomes, Inc.  
Agent: Perales Engineering (Jerry Perales)  
Request: Approval of the Gault Street Final Plat composed of 2 lots on 0.33 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

**22. Preliminary Plan:** [C8-2016-0091 - Highlands of University Hills, Section 2; Re-Plat; District 1](#)

Location: 6100 Friendswood Drive, Little Walnut Creek Watershed; Windsor Park NP Area  
Owner/Applicant: Trimel Opportunities LLC  
Agent: Catalyst Engineering Group (Timothy J. Moltz)  
Request: Approval of the Highlands of University Hills, Section 2; Re-Plat composed of 47 lots on 8.58 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

**23. Final Plat - [C8-2016-0089.0A - Villas at Vinson Oak Resubdivision; District 3](#)**  
**Resubdivision:**

Location: 4511 Vinson Drive, Williamson Creek Watershed; South Manchaca NP Area  
Owner/Applicant: Notigius (Antonio Giustino)  
Agent: Perales Engineering (Jerry Perales)  
Request: Approval of the Villas at Vinson Oak Resubdivision composed of 20 lots 1.9 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

Public Hearing closed.

The motion to disapprove Items #19-23 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a vote of 10-0. Vice-Chair Faye Kazi (*arrived late, absent for passage of the consent agenda*), Commissioner Angela PineyroDeHoyos and Commissioner Jeffrey Thompson absent.

#### **D. NEW BUSINESS**

Chair Stephen Oliver announced a Special Called meeting to be held on May 31, 2016 to discuss and consider a resolution regarding mobility priorities and an item to create a Work Group to review CodeNEXT Prescription Paper #2.

#### **E. COMMITTEE REPORTS**

Committee on Codes and Ordinances – Commissioner Nuria Zaragoza stated staff will provide an update on the side walk fee in lieu program at the next committee meeting.

Committee on the Comprehensive Plan – Meeting schedule dates to be determined upon appointment of members.

Garage Working Group – Commissioner Trinity White stated the garage item will be presented to the Planning Commission at a future meeting for consideration.

Land Development Code Advisory Group - Commissioner Nuria Zaragoza informed the Commission that staff will present Prescription Paper # 2 to the Commission at a future meeting date.

Small Area Planning Joint Committee – Commissioner James Shieh stated the committee reviewed the South Central Waterfront Overlay.

#### **F. ADJOURNMENT**

**Chair Stephen Oliver adjourned the meeting without objection on Wednesday, May 25, 2016 at 1:19 a.m.**

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days before the meeting date. Please call Jerry Rusthoven at Planning & Zoning Department, at 512-974-3207, for additional information; TTY users route through Relay Texas at 711.